Reduction in staff strength in Scholarship Division

3965. SHRI E. BALANANDAN: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) what criterion was adopted in withdrawing sixteen non-gazetted members of staff, alongwith the posts, from the Scholarship Divisions in the Department of Education;

(b) whether any study by the competent agency was conducted before making such reduction in staff strength; if so, the details thereof;

(c) whether these posts have been withdrawn to show matching saving for creation of one or more posts of senior officer/officers; and

(d) if the answer to part (b) above be in the negative, what action has been taken to restore the *status quo*?

THE MINISTER OF STATE IN THE DEPARTMENTS OF EDUCATION AND CULTURE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI L. P. SHAHI): (a) to (c) Overstafling to the extent of sixteen non-gazetted posts was identified by internal assessment, considering the schemes operated by the Bureau of Scholarships and the workload connected therewith. These posts were surrendered without involving retrenchment of any employee. for creation of posts of different categories including non-gazetted posts required for the implementation of the scheme for Vocationalisation of Secondary Education as envisaged in the National Policy on Education approved by the Parliament in 1986.

(d) In view of reply to parts (a), (b) and (c) above, no action is considered necessary.

Different pay scales for Diploma holder and degree holder ISM Physicians

3966. SHRI PRITHIBI MAJHI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the recruitment rules, pay scales and other benefits of both the Diploma holders ISM Physicians and the degree-holder Doctors were the same prior to the implementation of the Fourth Pay Commission report;

(b) whether it is a fact that the Fourth Pay Commission had recommended the lower pay scales for the Diploma holders Physicians than those of diploma holder dental Surgeons and Degree holder Doctors;

(c) whether it is also a fact that in the above circumstances, the diploma holder physicians having 15 to 20 years of service or so would be made junior to a fresh Degreeholder Physician; and

(d) if so, what action Government are taking to give justice to sufferers by removing the anomaly recommended by the Fourth Pay Commission?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI SAROJ KHAPARDE): (a) and (b) Yes, Sir.

(c) and (d) The recommendations of Fourth Pay Commission are under consideration and a final decision will be taken after due consultation with all concerned.

Affairs of the Medical Council of India

3967. SHRI G. SWAMY NAIK: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that Bombay High Court had held the continuation in office of the present President of Medical Council of India invalid;

(b) if so, whether it is a fact that the same person managed to get himself re-elected, which has been again challenged by a group of members of the Council;

(c) whether it is also a fact that present Vice-President of the Council is also holding the office against the provisions of the Act;

(d) whether it is a fact that about 10 persons are either elected or continuing as members of the Council against the provisions of I.M.C. Act;

(e) whether it is a fact that the said members also participated in the re-election of President and also in the sensitive matters like recognition of Medical Colleges, capitation fees and increase of various medical seats; and

(f) if so, the steps taken or proposed to be taken by Government to establish the democratic functioning of the Medical Council.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI SAROJ KHAPARDE): (a) The Bombay High Court in its Judgement dated the 11th December, 1987 declared that DR. A. K. N. Sinha, would cease to be a member of the Medical Council of India under Section 3(1) (b) of the Indian Medical Council Act, 1954, as the Senates of all Bihar Universities were dissolved by the Government of Bihar in December, 1986 and he could not also retain the Presidency of the Council, acquired when he was representing Patna University on the Council.

(b) Dr. Sinha was duly elected by the Registered Medical Practitioners of Bihar State under Section 3(1)(c) of the Act on the 29th August, 1987, and the Notification was issued by the Government on the 17th December, 1987 after the Bombay High Court in the above quoted Judgement also declared that his election under Section 3(1)(c) will not be affected. Thereafter Dr. Sinha was re-elected by the Council as President on the 4th February, 1988. The Government are not aware that his re-election has been challenged by a group of members of the Council.

(c) and (d) Some members, including the Vice-President of the Council are continuing as members of the Council beyond five years, after their elections under Section 7(2) of the Act, since their successors have not been elected so far.

(e) There is no bar in members, continuing beyond the teem of five years, participating in the proceedings of the Council, since they continue to be members of the Council unless their successors have been duly nominated or elected.

(f) The M.C.I is functioning in accordance with the provisions of the Act. It may be pointed out that in order to remove the loop-hole under which members continue for a longer period beyond five years, an amendment has been proposed in the Indian Medical Council (Amendment) Bill, 1987, which is now before a Joint Committee of Parliament, providing that no member of the Council shall be entitled to hold office beyond a period of six months after the expiry of his terms as such member. As and when the Bill is enacted the members who are continuing for periods longer than five years and six months, would automatically cease to be members of the Council.

एलोपैथिक और आयुर्वेदिक डाक्टरों की नियुक्ति के लिए विभागीय नियम

3968. **श्री सुनील कुमार पट्टनायक** क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आयुर्वेदिक डाक्टरों को अपनी नियुक्ति से पहले 5 वर्ष के अनुभव की शर्त को पूरा करना आवश्यक है, जबकि एलोपैथिक डाक्टरों के लिये यह शर्त नहीं है ;

(ख) यदि हां, तो इसके क्या कारण है ;

(ग) क्या सरकार का इस दोहरी नीति को समाप्त करने का विचार है ; और

(घ) यदि हां, तो इसका ब्यौरा क्या है और यदि नहीं, तो इसके क्या क्या करण है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (कुमारी सरोज खापर्डे) :

(क) जी, नहीं।

(ख) से (घ) प्रश्न नहीं उठते।